



Town of Oyster Bay

Zoning Board of Appeals

TOWN HALL, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771-1592 - TELEPHONE: (516) 624-6232 - FAX: (516) 624-6149

RITA BYRNE, *Chairwoman* - LOIS SCHMITT, *Vice Chairwoman* - LEWIS J. YEVOLI
KATHLEEN MULLIGAN - REBECCA M. ALESIA - ANDREW MONTELEONE - LISA CICCOLELLA

PUBLIC HEARING CALENDAR

NOTICE OF PUBLIC MEETING BY THE ZONING BOARD OF APPEALS

Pursuant to the provisions of *Chapter 246, Section 246-12* of the Code of the Town of Oyster Bay, notice is hereby given that the Zoning Board of Appeals has scheduled a public meeting, which will take place in the Town Hall Meeting Room, Audrey Avenue, Oyster Bay, New York, on *SEPTEMBER 21, 2023*, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. 1

APPEAL NO. 23-349

MASSAPEQUA

BRIAN BURKE: Variance to construct rear roof over exceeding maximum building coverage and gross floor area than permitted by Ordinance.

W/s/o Stillwater Ave., S/o S. Bay Dr., a/k/a 33 Stillwater Avenue, Massapequa, NY
SEC. 66 BLK. 85 LOT 71 ZONE R1-10

HEARING NO. 2

APPEAL NO. 23-408

MASSAPEQUA

KEENAN MARSHALL: **(A)** Variance to construct rear porch with steps to grade and allow existing side portico having less aggregate side yards than permitted by Ordinance. **(B)** Variance to construct second story balcony, trellis and allow existing side portico exceeding building coverage than permitted by Ordinance. **(C)** Variance to construct rear porch with steps to grade, second story balcony, trellis and allow existing side portico exceeding maximum gross floor area than permitted by Ordinance. **(D)** Variance to allow existing side portico having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. **(E)** Variance to allow existing pool equipment having less front yard setback than permitted by Ordinance.

E/s/o Bay Dr., 500.71 ft. N/o Fairfax Rd., a/k/a 216 Bay Drive, Massapequa, NY
SEC. 65 BLK. 191 LOT 282 ZONE R1-10/OHG

HEARING NO. 3

APPEAL NO. 23-410

MASSAPEQUA

MIKE GARDINI: **(A)** Variance to construct one story addition having less rear yard setback than permitted by Ordinance. **(B)** Variance to allow existing shed having less front yard setback than permitted by Ordinance. **(C)** Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (Joludow Drive) permitted by Ordinance.

SW/ cor. of Brendan Ave. & Joludow Dr., a/k/a 402 Brendan Avenue, Massapequa, NY
SEC. 53 BLK. 150 LOT 36 ZONE R1-7

HEARING NO. 4**APPEAL NO. 23-414****MASSAPEQUA**

JAMES & CHRISTINE BIORDI: (A) Variance to construct one story rear addition having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct rear one story addition exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing 11.33 ft. by 22.63 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance. (D) Variance to allow existing pool filter having less rear yard setback than permitted by Ordinance. (E) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

S/s/o Surrey Rd., 403.36 ft. E/o Perth Rd., a/k/a 16 Surrey Road, Massapequa, NY
SEC. 57 BLK. 230 LOT 26 ZONE R1-7

HEARING NO. 5**APPEAL NO. 23-415****MASSAPEQUA**

CAROLYN AROTE: (A) Variance to allow two (2) existing air conditioning units having less side yard setback than permitted by Ordinance. (B) Variance to allow existing shed having less side yard setback than permitted by Ordinance.

S/s/o Ocean Ct., 181.24 ft. E/o Ocean Ave., a/k/a 133 Ocean Court, Massapequa, NY
SEC. 65 BLK. 213 LOT 28 ZONE R1-10

HEARING NO. 6**APPEAL NO. 23-418****MASSAPEQUA**

SCOTT & NELLY HENNESSY: (A) Variance to construct second floor addition, allow existing rear second floor deck, raised concrete patio and raised utility pad with two (2) air conditioning units having less side yard setback than permitted by Ordinance. (B) Variance to construct second floor addition, allow existing second floor deck, roofed over front porch and raised utility pad with two (2) air conditioning units having less aggregate side yard than permitted by Ordinance; also encroachment of eaves and gutters.

S/s/o Anchor Dr., 550 ft. W/o S. Bay Ave., a/k/a 17 Anchor Drive, Massapequa, NY
SEC. 65 BLK. 241 LOT 29 ZONE R1-10

HEARING NO. 7**APPEAL NO. 23-498****MASSAPEQUA**

MARY LOFRUMENTO: (A) Variance to install in-ground swimming pool having less side yard setback and front yard setback than permitted by Ordinance. (B) Variance to install pool equipment having less front yard setback than permitted by Ordinance.

N/s/o Shelley Dr., 497.80 ft. W/o Riviera Dr. E., a/k/a 21 Shelley Drive, Massapequa, NY
SEC. 65 BLK. 225 LOT 17 ZONE R1-10

HEARING NO. 8**APPEAL NO. 23-499****MASSAPEQUA**

SHAMIDAI MCCAFFREY: Variance to construct conversion of existing garage storage/attic space to habitable living space exceeding maximum gross floor area and number of stories than permitted by Ordinance.

N/s/o Highland St., 332.71 ft. W/o Sunset Rd., a/k/a 11 Highland Street, Massapequa, NY
SEC. 66 BLK. 49 LOT 23 ZONE R1-10

HEARING NO. 9**APPEAL NO. 23-404****NORTH MASSAPEQUA**

KALLIOPI MANOLAKIS: (A) Variance to allow existing front deck having less average side/front yard setback (N. Hickory Street) than permitted by Ordinance. (B) Variance to allow existing rear addition with roof overhang having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing rear addition, front deck and front roof over exceeding maximum building coverage than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 21-483 and granted by Decision of the Zoning Board of Appeals, dated January 6, 2022.

SE/ cor. of N. Hickory St. & N. Broadway, a/k/a 200 N. Hickory Street, North Massapequa, NY
SEC. 48 BLK. 64 LOT 211 ZONE R1-7

HEARING NO. 10**APPEAL NO. 23-413****FARMINGDALE**

JESSICA CHOI-KENNY: (A) Variance to allow existing second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance to erect 5 ft. high fence having less setback from swimming pool than permitted by Ordinance. (C) Variance to allow existing swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (D) Variance to allow existing deck having less side yard setback, aggregate side yards, and rear yard setback than permitted by Ordinance. (E) Variance to allow existing shed having less rear yard setback, side yard setback and exceeding maximum building coverage than permitted by Ordinance. (F) Variance to install egress window well having less side yard setback than permitted by Ordinance.

N/s/o Matthew St., 569.25 ft. W/o Lois Ln., a/k/a 21 Matthew Street, Farmingdale, NY
SEC. 48 BLK. 535 LOT 7 ZONE R1-7

HEARING NO. 11**APPEAL NO. 23-366 - AMENDMENT****HICKSVILLE**

IPA MANAGEMENT LLC: Amend Specific Plan as presented for Appeal No. 69-441 and granted by Decision of the Zoning Board of Appeals, dated October 23, 1969, to construct portico.

NE/ cor. of Grape Ln. & Brittle Ln, a/k/a 63 Grape Lane, Hicksville, NY
SEC. 45 BLK. 324 LOT 30 ZONE R1-7

HEARING NO. 12**APPEAL NO. 23-397****HICKSVILLE**

SIMRAN KAUR: (A) Variance to allow existing second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance to allow existing rear wood deck extension with steps to grade having less side yard setback than permitted by Ordinance. (C) Variance to allow existing shed having less rear yard setback and exceeding maximum building coverage than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 95-04 and granted by Decision of the Zoning Board of Appeals, dated February 23, 1995.

E/s/o Linden Blvd., 162 ft. N/o Oxford St., a/k/a 53 Linden Boulevard, Hicksville, NY
SEC. 46 BLK. 379 LOT 13 ZONE R1-7

HEARING NO. 13**APPEAL NO. 23-401****HICKSVILLE**

MANOGARAN RAJUBETAN: Variance to construct open porch having less average front yard setback and exceeding maximum building coverage than permitted by Ordinance.

W/s/o Gables Dr., 323 ft. S/o Plainview Rd., a/k/a 6 Gables Drive, Hicksville, NY
SEC. 12 BLK. 277 LOT 37 ZONE R1-7

HEARING NO. 14**APPEAL NO. 23-405****HICKSVILLE**

MARCIAL & CARMELA PARRA: (A) Variance to allow existing rear enclosed porch having less side yard setback, aggregate side yards and rear yard setback than permitted by Ordinance. (B) Variance to allow existing 13.8 ft. by 8.2 ft. shed exceeding maximum height and having less side yard setback than permitted by Ordinance. (C) Variance to allow existing rear enclosed porch and 13.8 ft. by 8.2 ft. shed exceeding maximum building coverage than permitted by Ordinance.

N/s/o Pewter Ln., 221.60 ft. E/o Spindle Rd., a/k/a 11 Pewter Lane, Hicksville, NY

SEC. 45**BLK. 288****LOT 27****ZONE R1-7**

HEARING NO. 15**APPEAL NO. 23-406****HICKSVILLE**

JACQUELYN TOWNES: (A) Variance to construct portico and allow existing one story attached garage having less average front yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct second floor dormer having less roof pitch than permitted by Ordinance.

N/s/o Lantern Rd., 691.27 ft. W/o Fork Ln., a/k/a 102 Lantern Road, Hicksville, NY

SEC. 45**BLK. 287****LOT 12****ZONE R1-7**

HEARING NO. 16**APPEAL NO. 23-407****HICKSVILLE**

JAMEL & MERIDITH WHITE: (A) Variance to construct rear two story addition and second story addition having less roof pitch than permitted by Ordinance. (B) Variance to construct rear two story addition, covered patio and front portico exceeding maximum building coverage than permitted by Ordinance. (C) Variance to construct rear two story addition, second story addition and covered patio exceeding maximum gross floor area than permitted by Ordinance. (D) Variance to allow existing 21.21 ft. by 14.17 ft. detached garage having less side yard setback and rear yard setback than permitted by Ordinance.

S/s/o 6th St., 252.72 ft. E/o Division Ave., a/k/a 183 6th Street, Hicksville, NY

SEC. 45**BLK. 90****LOT 116****ZONE R1-7**

HEARING NO. 17**APPEAL NO. 23-344****OLD BETHPAGE**

VELLORE SABAPATHY: (A) Variance to allow existing 5 ft. by 10.1 ft. shed having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing 10 ft. by 12.2 ft. shed having less side yard setback than permitted by Ordinance. (C) Variance to allow existing 6 f.t high PVC fence exceeding maximum height across front yard than permitted by Ordinance.

W/s/o Old Bethpage Rd., 64.14 ft. W/o Haypath Rd., a/k/a 701 Old Bethpage Road, Old Bethpage, NY

SEC. 47**BLK. 139****LOT 26****ZONE R1-10**

HEARING NO. 18**APPEAL NO. 23-441****PLAINVIEW**

SHAKEEL CHAUDHRY: (A) Variance to construct 32.85 ft. by 56.5 ft. new dwelling on partial existing and partial new foundation having less side yard setback, rear yard setback, roof pitch, exceeding maximum building coverage and gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct 32.85 ft. by 56.5 ft. new dwelling on partial existing and partial new foundation and portico having less front yard setback than permitted by Ordinance. (C) Variance to allow existing cellar entrance having less side yard setback than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 58-872 and granted by Decision of the Zoning Board of Appeals, dated November 6, 1958.

W/s/o Richfield St., 190.12 ft. N/o Willben Ln., a/k/a 9 Richfield Street, Plainview, NY

SEC. 13**BLK. 1****LOT 54****ZONE R1-7**

HEARING NO. 19**APPEAL NO. 23-485****WOODBURY**

SUSAN SURIEL: (A) Variance to construct pergola and cabana exceeding maximum building coverage than permitted by Ordinance. (B) Variance to construct pergola, cabana and second floor roof deck exceeding maximum gross floor area than permitted by Ordinance. (C) Variance to construct cabana exceeding maximum height than permitted by Ordinance.

NW/ cor. of Fairbanks Blvd. & Juneau Blvd., a/k/a 39 Fairbanks Boulevard, Woodbury, NY
SEC. 13 **BLK. 81** **LOT 24** **ZONE R1-1A**

HEARING NO. 20**APPEAL NO. 23-421****SYOSSET**

ROBERT CALENDIA: Variance to construct sunroom and allow existing rear roof over exceeding maximum building coverage than permitted by Ordinance.

N/s/o Convent Rd., 753.69 ft. E/o Greenway Dr., a/k/a 115 Convent Road, Syosset, NY
SEC. 15 **BLK. C** **LOT 665** **ZONE R1-10**

HEARING NO. 21**APPEAL NO. 23-416****GLEN HEAD**

WILLIAM CORNACHIO: (A) Variance to construct second floor addition, one story addition and roof-over porch having less average front yard setback than permitted by Ordinance. (B) Variance to construct two story addition, second floor addition and wood deck having less side yard setback than permitted by Ordinance. (C) Variance to construct two story addition and second floor addition having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

S/s/o Roosevelt Ave., 993.59 ft. W/o Coolidge Ave., a/k/a 39 Roosevelt Avenue, Glen Head, NY
SEC. 20 **BLK. F** **LOT 21** **ZONE R1-7**

HEARING NO. 22**APPEAL NO. 23-402****EAST NORWICH**

JON SORSCHER: (A) Variance to construct 43.83 ft. by 45.1 ft. new dwelling on partial existing and partial new foundation having less average front yard setback, side yard setback, aggregate side yards and exceeding maximum gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct driveway having less side yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 66-649 and granted by Decision of the Zoning Board of Appeals, dated November 17, 1966.

N/s/o Yorkshire Dr., 322.30 ft. E/o Briarcliff Rd., a/k/a 110 Yorkshire Drive, East Norwich, NY
SEC. 24 **BLK. 11** **LOT 19** **ZONE R1-7**

HEARING NO. 23**APPEAL NO. 23-434****EAST NORWICH**

ANGELO CIPRIANO: (A) Variance to construct roof over, platform with steps to grade and two story addition having less front yard setback (Clifford Place) than permitted by Ordinance. (B) Variance to construct front portico having less side/front yard setback (Carlton Avenue) than permitted by Ordinance. (C) Variance to construct two story addition having less roof pitch and exceeding maximum gross floor area than permitted by Ordinance. (D) Variance to allow existing 12.3 ft. by 10 ft. shed exceeding maximum height than permitted by Ordinance.

SW/ cor. of Carlton Ave. & Clifford Pl., a/k/a 1 Carlton Avenue, East Norwich, NY
SEC. 27 **BLK. 9** **LOT 8** **ZONE R1-6**

HEARING NO. 24**APPEAL NO. 23-417****LOCUST VALLEY**

MALGORZATA USEDA: (A) Variance to construct second floor addition having less average front yard setback and side yard setback than permitted by Ordinance. (B) Variance to allow existing 7 ft. by 7 ft. shed having less side yard setback than permitted by Ordinance.

N/s/o Leona Pl., W/o 13th St., a/k/a 6 Leona Place, Locust Valley, NY

SEC. 30

BLK. 9

LOT 139

ZONE R1-6

HEARING NO. 25**APPEAL NO. 23-442****OYSTER BAY**

CATHERINE DALE: Variance to construct rear deck having less side yard setback, aggregate side yards, exceeding maximum setback ratio for side yard (South), building coverage and gross floor area than permitted by Ordinance.

W/s/o School St., 337.18 ft. S/o Weeks Ave., a/k/a 96 School Street, Oyster Bay, NY

SEC. 27

BLK. 25

LOT 233

ZONE R1-6/OB

HEARING NO. 26**APPEAL NO. 23-474****OYSTER BAY**

CHRISTOPHER GALLAGHER: (A) Variance to construct second story deck having less side yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 01-584 and granted by Decision of the Zoning Board of Appeals, dated May 30, 2002.

NW/ cor. of Mill River Rd. & Lexington Ave., a/k/a 4 Mill River Road, Oyster Bay, NY

SEC. 24

BLK. 3

LOT 29

ZONE R1-10/OB

HEARING NO. HO 1**APPEAL NO. 23-240****HICKSVILLE**

346 WOODBURY, LLC: (A) Variance to construct new two story dwelling having less front yard setback, exceeding maximum building coverage and gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to erect 6 ft. high PVC fence exceeding maximum height across front yard (Woodbury Road) and within 30 ft. of intersection than permitted by Ordinance. (C) Variance to construct driveway having less front yard setback (Woodbury Road) than permitted by Ordinance.

SW/ cor. of Woodbury Rd. & Regent St., a/k/a 346 Woodbury Road, Hicksville, NY

SEC. 12

BLK. 105

LOT 5

ZONE R1-7

HEARING NO. HO 2**APPEAL NO. 23-229****JERICO**

CHANGYUAN ZOU: Variance to allow existing 6 ft. high fence exceeding maximum height across side/front property than permitted by Ordinance.

NW/ cor. of Moss Ln. & Marian Ln., a/k/a 57 Moss Lane, Jericho, NY

SEC. 12

BLK. 616

LOT 30

ZONE R1-10

HEARING NO. HO 3**APPEAL NO. 23-220****LOCUST VALLEY**

PIA FLEISCHMAN: (A) Variance to allow existing screened porch exceeding maximum building coverage than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 14-372 and granted by Decision of the Zoning Board of Appeals, dated November 20, 2014.

S/s/o Hernan Ln., E/o Bayville Rd., a/k/a 14 Hernan Lane, Locust Valley, NY

SEC. 29

BLK. 63

LOT 350

ZONE R1-7

HEARING NO. HO 4

APPEAL NO. 23-277

GLEN HEAD

DONNA SLANINA RUIZ: (A) Variance to allow existing greenhouse attached to detached garage having less side yard setback and exceeding maximum building coverage of the principal building than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing dwelling and greenhouse attached to detached garage on subdivided lot having less width of lot at street and width of lot from front property line to required rear yard than permitted by Ordinance. **PARCEL A**

S/s/o The Promenade, W/o Hill Dr., a/k/a 47 The Promenade, Glen Head, NY

SEC. 21

BLK. Q

LOT 35

ZONE R1-7

HEARING NO. HO 5

APPEAL NO. 23-301 - AMENDMENT

JERICH0

APRIL SONG: Amend Specific Plan as presented for Appeal No. 23-301 and granted by Decision of the Zoning Board of Appeals, dated June 2, 2022, to allow existing sunroom and rear platform with steps to grade.

S/s/o Halsey Ave., 484.93 ft. E/o Leahy St., a/k/a 216 Halsey Avenue, Jericho, NY

SEC. 11

BLK. 359

LOT 9

ZONE R1-10

SEPTEMBER 11, 2023

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK